

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

STIPULATION AND ~~PROPOSED~~  
ORDER FOR EXTENSION OF TIME  
FOR 1313 RESTAURANT GROUP,  
LLC; DAVID L. RICCI, TRUSTEE;  
KRYSTAL RICCI, TRUSTEE and JOHN  
CONSENTINO, TRUSTEE TO  
RESPOND TO COMPLAINT

The parties believe that the extension of time to respond until January 24, 2024 will facilitate a settlement of the case before a conference with the court is required, and thus save valuable court time and resources.

Case No. 1:23-cv-01425

Plaintiff and Defendants continue to be in settlement negotiations at this time, but time is needed to conclude the terms of a settlement.

NOW THEREFORE, Defendants through their attorney, and Plaintiff through his attorneys, hereby stipulate and agree that the time for Defendants for 1313 RESTAURANT GROUP, LLC; DAVID L. RICCI, TRUSTEE; KRYSTAL RICCI, TRUSTEE and JOHN CONSENTINO, TRUSTEE to answer or otherwise respond to the Complaint shall be extended up to and including January 24, 2024, pending court approval, and that the scheduling conference be continued to a date after January 24, 2024 convenient to the court.

IT IS SO STIPULATED.

Dated: December 19, 2023  
MOORE LAW FIRM, P.C.  
\_\_\_\_\_  
/s/Tanya E. Moore  
Tanya E. Moore, Attorney for Plaintiff Jose Escobedo

Dated: December 19, 2023  
\_\_\_\_\_  
/s/Bruce A. Neilson  
Bruce A. Neilson, Attorney for 1313 Restaurant Group, LLC;  
David L. Ricci, Trustee; Krystal Ricci, Trustee and John  
Consentino, Trustee

### ORDER

Pursuant to the parties' stipulation, and good cause appearing, Defendants 1313 RESTAURANT GROUP, LLC; DAVID L. RICCI, TRUSTEE; KRYSTAL RICCI, TRUSTEE and JOHN CONSENTINO shall have until January 24, 2024 to answer or otherwise respond to the Complaint, and that the scheduling conference in this matter is hereby continued to **February 22, 2024, at 9:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe.**

The parties shall file a Joint Scheduling Report at least one full week prior to the conference.

IT IS SO ORDERED.

Dated: **December 21, 2023**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE